

Open Space Preservation – Implementation Plan

ITEM (as of 1/2008)	ACTION & APPROVED STRATEGY (as of 1/2008)	PROGRESS/ HISTORY	DEPARTMENT/ STAFF ASSIGNED	STATUS (as of 7/11/12)
A. REGULATION METHODS				
A-1. Rezoning of Newly Annexed Properties	-- Proceed to rezone all currently undeveloped land that the city owns (or lands in which the owner also concurs and that do not have approved master plans) to RF zoning category.	Discussed at OSAB meeting 11/2009. Staff recommends zoning change for Smart Code rather than RF. Council direction 2/2010 NOT to proceed with rezoning PSB properties RF.	M. McElroy D. Coronado	ONGOING- OSAB discussed related issue of Urban Reserve District zoning at 3/28/2012 meeting.
A-2. Create an Open Space Zoning Category	-- Action taken by Council 11/2007 to use Mixed Use Designation. This will create open space designation.	Natural Open Space zoning category created and approved by Council 4/2010.	M. McElroy	COMPLETE.
A-3. Extend the Mountain Development Area (MDA) to encompass a larger area adjacent to the Franklin Mountains	-- Re-zoning or an overlay on public land will accomplish this.	Surveying makes re-zoning and overlay cost prohibitive. MDA lands rezoned to URD. PSB Westside Master Plan approved by Council 3/2012. Council directed MOU between City & PSB requiring that city property be master planned and rezoned to Smart Code, signed 3/31/2010.	M. McElroy	ONGOING.
A-4. Make Drainage and Ponding an Integral Part of the Open Space Plan	-- New drainage and ponding requirements were passed with the Drainage Design Manual adopted with the Subdivision Code in 4/2008. -- The broader discussion of regional drainage treatments must take place.	Code is being implemented by staff, where applicable. Developments under the “old code” may choose to adopt portions of the new subdivision code at their discretion. OSAB does not support that recent dual-use Park Ponds adhere to the definition of ponding and drainage areas	Engineering Transportation PSB Parks & Recreation	ONGOING.

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		<p>as stated in the OS Master Plan.</p> <p>Regional Drainage discussed in Stormwater Utility Master Plan adopted 4/2009. Three-year CIP (FY10-12) included approx. \$6 million in open space, dual use and park/pond projects.</p> <p>Saipan Park Pond completed 12/2011. Seven other park ponds in design. Future park pond locations in discussion with PSB.</p>		
A-5. Require the Preservation of at least 75% of the Land Area of Existing Arroyos in Undeveloped Areas.	<p>-- Cannot "require" without compensation or other consideration (per legal).</p> <p>-- Recognize this is a "goal" statement and create incentives to achieve this.</p>	Item is a goal statement.	M. McElroy	CLOSED.
A-6. Incorporate Open Space Donations as Part of the Parkland Dedication Ordinance	-- Draft policy changes to Parkland Dedication Ordinance allowing for open space donations.	Parkland Dedication Ordinance adopted 4/2008 allows a 50% credit for open space arroyo donations.	M. McElroy N. Smejkal	COMPLETE.
A-7. Modify subdivision regulations to require preservation of views and access to open spaces when adjacent areas are developed	<p>-- Cannot require without compensation or other consideration (per legal).</p> <p>-- Points of connectivity and access proposed in Sub-Division Ordinance.</p>	<p>Subdivision Ordinance does not currently include preservation of views or access.</p> <p>Preservation of views and access included in Smart Code, approved by Council 6/2008.</p>	M. McElroy	COMPLETE.

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B. ACQUISITION AND PRESERVATION STRATEGIES				
B-1. Through council action, permanent preservation of critical open space assets that are already City owned	<p>-- PSB objects to this action.</p> <p>-- SWU administers the land acquisition process for these areas using SWU revenues.</p>	<p>Council directed MOU between City & PSB requiring that city property be master planned and rezoned to Smart Code, signed 3/31/2010.</p> <p>Stormwater Utility Master Plan includes preservation of PSB owned arroyos.</p> <p>OSAB priority list vetted through Stormwater Committee and PSB.</p> <p>Acquisition plan for additional open space areas prioritized and approved by PSB Stormwater Advisory Committee on 11/2011.</p>	PSB Planning	ONGOING.
B-2. Acquisition via Purchase by the City of El Paso	<p>-- \$2 million targeted for this purpose was reprogrammed for the 2006 Storm.</p> <p>-- Mowad and Saipan vacant properties acquired through relocation of the existing properties could be used for open space opportunities.</p> <p>-- Funding will become available from the 10% set aside from the Storm Water Utilities.</p>	<p>Acquisition plan for additional open space areas prioritized and approved by PSB Stormwater Advisory Committee on 11/2011.</p> <p>Saipan Park Pond completed 12/2011.</p> <p>Funds for acquiring additional open space properties possible as part of the proposed 2012 Bond, pending City Council authorization and voter approval.</p>	DCM/ D. Hamlyn	ONGOING. Funds from 10% SWU can be used if adopted in SWU CIP.
B-3. Acquisition via Purchase by Area School Districts	-- Ongoing on a case by case basis as opportunities arise.	<p>Item is a goal statement. Cannot require school districts to purchase open space.</p> <p>Partnerships for lease and joint-use have occurred.</p>	Parks and Recreation	CLOSED.
B-4. Dedication through the Development Process	-- Adopted in Subdivision Code 11/2009.	Developers and City have this option.	Planning Parks and Recreation	ONGOING.

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B-5. Acquisition via Trade for other City Owned Lands	-- PSB objects to this action. PSB CEO and City Manager to discuss future policy recommendations. -- Designate staff to arrive at trade suggestions to acquire valuable open space assets for City owned lands.	MOU signed 3/31/10 in place outlining property trade transactions between City and PSB.	City Manager PSB CEO Parks and Recreation	ONGOING.
B-6. Acquisition through Purchase by other Entities	-- CARE Committee assigned to create policy recommendations and review potential real estate opportunities.	CARE Committee dissolved 7/2011. Staff considers offers to deed land to the City as opportunities arise.	Economic Dev Property Mgmt Parks and Recreation	ONGOING.
B-7. Acquisition by Private Homeowner Associations	-- No specific action by City; however, this should be encouraged in oversight review.	Item is a goal statement.	Parks and Recreation Planning	CLOSED.
B-8. Acquisition by Private Sources for Private Use	-- No specific action by City; however, this should be encouraged in oversight review.	Item is a goal statement.	Parks and Recreation Planning	CLOSED.
B-9. Acquisition by El Paso County	-- County will not agree to acquire at this point. However, draft Subdivision Ordinance requires dedication of parks or open space in ETJ.	Dedication of parks or open space in ETJ passed as part of the Subdivision Code in 4/2008.	Planning	COMPLETE.
C. INCENTIVES TO PRESERVE OPEN SPACE				
C-1. Allow trading of density for preservation of open space	-- Accomplished. Transfer of Development Rights in Zoning Code [20.10.695].	Legal issues regarding how to transfer density at TX state law level. City Comprehensive Plan adopted by Council 3/2012 encourages density.	Planning	COMPLETE.
C-2. Allow cluster development to preserve open space	-- Created through Mixed Use District, effective 11/2007	City Comprehensive Plan, approved by Council 3/2012, identifies increasing cluster development as a goal.	Planning	ONGOING. Next step is to write policy to implement goal.
C-3. Allow private open space in select cases where development bonuses are granted	-- No credits per current CC policy	Closed	Planning	CLOSED.
C-4. Allow the waiving of	-- Only considered applicable when taken with other incentives.	Closed	Planning	ONGOING. Planning researching related

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development fees				policy.
C-5. Deferral of property taxes	-- Research whether other Texas cities have an established mechanism	Use of Texas Local Government Code Chapter 380 for companies providing open space, Public Improvement Districts, TIF's and the creation of a non-profit organization suggested by Carmen Arrieta-Candelaria. Further discussion needed to defer taxes. Downtown Management District created under Ch. 380 in 1997.	Economic Dev Legal Finance	ONGOING.
D. CONSERVATION EASEMENTS				
D-1. Acquire development rights to key properties	-- Identify strategies for properties and fund as \$\$ becomes available. Identify funding sources	Funding as part of proposed 2012 Bond, pending approval.	Parks and Recreation Finance	ONGOING, not currently funded or priority
X. OPERATIONAL ACTION PLAN				
X-1. Identify lead department and staff for Open Space program management	-- DCM for Quality of Life Services will coordinate the initial regulatory actions outlined above pertaining to sections A-D. -- PARD will be assigned lead department, effective 3/2008. -- Assign project coordinator, 3/2008 (Parks) -- Establish permanent project coordinator position and job specification via reprogramming existing authorized position that will not be filled for original purpose -- Compile open space reference materials (plans, maps, files)	Open Space, Trails, and Parks Coordinator position established and filled 7/2008.	Parks and Recreation	COMPLETE.

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	within PARD and familiarize staff, 3/2008-6/2008.			
X-2. Engage stakeholders and volunteers	<p>-- Revisit participants of the plan, 3/2008-6/2008</p> <p>-- Establish open space advisory board/committee as a component of the Parks and Recreation Advisory Board, 6/2008</p> <p>-- Include open space section within PARD website, 6/2008</p> <p>-- Annual report to PRAB, CPC and CC by end of calendar year 2008 and then annually at end of each calendar year</p>	<p>Open Space Advisory Board became independent of the Parks and Recreation Advisory Board as of 6/2009.</p> <p>Staff support for Open Space Advisory Bd shifted to Planning 6/2009.</p> <p>Park Partner agreements are available for interested parties.</p>	Parks and Recreation Planning	ONGOING.
X-3. Implement priority projects	<p>-- Develop 1/5/10 year plan for 10% Stormwater funds within the parameters governing the use of those funds</p> <p>-- Coordinate Rivers Trails and Conservation Assistance (RTCA) technical assistance grant related to #1 priority project: "Mountains to River" trail, 4/2008 – 9/2009</p>	<p>Stormwater Master Plan adopted in April 2009. Includes significant number of priority projects.</p> <p>RTCA technical assistance grant received 10/2007. No final deliverable or future implementation plan for the project produced.</p> <p>TX Dot Spur 276 (lower Mtn to River) project moving forward. Design submitted 2/2012.</p> <p>OSAB affirmed recommendations on 1/2012 for re-prioritization of projects to receive 10% funding from SWMP CIP years 4-6. Recommendation has not gone from PSB to Council yet.</p>	Parks and Recreation PSB Engineering	ONGOING.
X-4. Increase funding sources for plan implementation and manage city-owned components	-- Research and submit grant applications	<p>Ongoing</p> <p>Funding as part of proposed 2012 Bond, pending approval.</p>	Parks and Recreation	ONGOING.

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		Pursuing grants through Texas Parks & Wildlife Department, Recreational Trails Grant fund for pilot utility corridor project.		
X-5. Facilitate coordination of compatible systems	-- Safe Routes to Schools – coordinate with TX DOT	<p>DOT submitted Safe Routes to School funding applications.</p> <p>Recreation Use Statute passed in 2009 Legislature. Staff working with El Paso Electric to identify potential projects.</p>	Transportation Parks and Recreation	ONGOING.